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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Alfredo ACEVEDO-Tamayo, Defendant.	Magistrate Case No.: '08 MJ 8183 COMPLAINT FOR VIOLATION OF 21 U.S.C. § 952 and 960 Importation of a Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about February 27, 2008, within the Southern District of California, defendant Alfredo ACEVEDO-Tamayo did knowingly and intentionally import approximately 37.58 kilograms (82.68 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached statement of facts incorporated herein by reference.

Special Agent
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence this 28th day of February 2008.

Peter C. Lewis
United States Magistrate-Judge

UNITED STATES OF AMERICA
v.
Alfredo ACEVEDO-Tamayo

STATEMENT OF FACTS

This complaint is based on the reports and documents furnished to U. S. Immigration and Customs Enforcement Special Agent Russell H. Vensk Jr. and the interview of Alfredo ACEVEDO-Tamayo.

On February 27, 2008, at approximately 0822 hours, ACEVEDO, a citizen of Mexico, entered the U.S. at the Calexico, Ca. West Port of Entry. ACEVEDO was the driver, registered owner, and sole occupant of a 1989 Plymouth Voyager LE mini-van.

At primary, ACEVEDO presented his valid B1/B2 visa for admission into the U.S. and gave a negative customs declaration to Customs & Border Protection Officer (CBPO) Ismael Juarez. CBPO Juarez referred ACEVEDO and the vehicle to secondary inspection.

In secondary, CBPO Leslie Ledbetter discovered three packages concealed within the engine compartment. CBPO Ledbetter probed one of the packages and extracted a green leafy substance, which he field-tested and which gave a positive indication for the presence of marijuana. The packages had a total weight of 37.58 kgs. (82.68 lbs.)

ACEVEDO was advised of his Miranda rights by SA Hugo Leon. ACEVEDO stated he understood his rights and agreed to answer questions without the presence of an attorney. ACEVEDO stated he knew there were controlled substances concealed in the vehicle when he entered the U.S. and knew it was illegal to import them. ACEVEDO stated he was going to be paid $1500.00 for the smuggling venture.